



2822 JF

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/816,287
		Filing Date	3/21/2001
		First Named Inventor	Vladislav Vashchenko
		Group Art Unit	2822
		Examiner Name	Mark V. Prenty
Total Number of Pages in This Submission		Attorney Docket Number	75292/10417

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group		
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences		
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information		
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter		
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):		
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	-Statement of Substance of Interview and surrounding facts		
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	-Copy of previously submitted Request for Remailing and attachments thereto		
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____			
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application				
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53				
<table border="1"> <tr> <td>Remarks</td> <td>No Office Action is included with the Statement of Substance of Interview since no Office Action has yet been received.</td> </tr> </table>			Remarks	No Office Action is included with the Statement of Substance of Interview since no Office Action has yet been received.
Remarks	No Office Action is included with the Statement of Substance of Interview since no Office Action has yet been received.			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jurgen Vollrath
Signature	
Date	6/26/2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	Jurgen Vollrath	
Signature		Date 6/26/2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



CERTIFICATE OF MAILING

I certify that on 6/26/ 2004, which is the date I am signing this certificate, this correspondence and all attachments mentioned are being deposited in the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA, 22313-1450

Jurgen Vollrath

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
)	Art Unit: 2822
Inventor: Vladislav Vashchenko et al.)	
)	
Serial No.: 09/816,287)	
)	Examiner: Mark V. Prenty
Filed: March 21, 2001)	
)	
Title: HIGH HOLDING VOLTAGE ESD)	
PROTECTION STRUCTURE AND METHOD)	

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Statement of Substance of Interview and surrounding facts

1. On January 15, 2004 applicant received a notice from the US Postal Inspection Service advising that certain articles of mail addressed to me had been recovered outside postal channels. (A copy of the letter, envelope and papers recovered by the Postal Inspection Service was previously submitted on 1/21/2004. For convenience, a copy is again attached hereto.)
2. Included in the mailing from the US Postal Inspection Service was a cover sheet from the USPTO identifying an Office communication regarding application serial number 09/816,287.
3. The mailing from the US Postal Inspection Service also included various additional papers on identity theft.
4. Upon receiving the paperwork from the US Postal Inspection Service, applicant's attorney or record, Mr. Vollrath, contacted the examiner, Mr. Mark V. Prenty, by telephone, who made enquiries and advised applicant to request a remailing of the Office Action of 5/28/2003 (of which only the cover sheet had been retrieved by the US Postal Inspection Service).
5. Applicant submitted a request for remailing on 1/21/2004 (see attached Transmittal Form), which was received by the USPTO on 1/26/2004.
6. On 6/2/2004 applicant again contacted examiner Prenty by telephone to enquire about the remailing of the Office Action, which had not yet been received. During the interview Mr. Prenty and Mr. Vollrath were present and Mr. Vollrath enquired about the status of his request for remailing of the Office action. Mr. Prenty advised Mr. Vollrath that this was a matter not handled by the examiner but that it had been referred to the SPE. Since Mr. Vollrath had during the first telephone interview already mentioned the facts surrounding the theft of the Office action of 5/28/2003 and had, pursuant to Mr. Prenty's instructions mailed a request for remailing, the circumstances surrounding the Office action of 5/28/2003 were not again discussed at the interview of 6/2/2004. No finality was reached at the interview except insofar as the matter was still being looked into.
7. Subsequently, an interview summary of the latter telephone conversation was mailed by examiner Prenty on 6/09/2004, pursuant to which applicant is submitting this formal written statement of the substance of the interview (paragraph 6 above) and surrounding facts. A copy of examiner Prenty's Interview Summary is attached hereto.
8. Since the Office Action was clearly stolen from the US Postal Service and failure to respond was entirely beyond applicant's control, it is requested that the Office communication be resent and the time for response be reset.

Respectfully Submitted,

Dated: 6/26/, 2004



Jurgen Voelrath

588 Sutter Street #531
San Francisco, CA
94102